

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIM. NO. 15-20652

Plaintiff,

HON. GEORGE CARAM STEEH

v.

D-5 QUINCY GRAHAM,  
D-7 JEROME GOOCH,  
D-8 MICHAEL ROGERS,  
D-12 JEFFERY ADAMS,

Defendants.

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**GOVERNMENT’S SUPPLEMENTAL BRIEFING**

As part of its Order Denying Defendant’s Motion to Preclude the Government’s Use of Rap Lyrics and Rap Videos at Trial, the Court ordered that the “government shall provide defendant[s] and the court with the specific excerpt that it intends to present...[and] restate the purpose for which the evidence is being offered and submit a transcript identifying the speakers in the clip.” See Docket Entry (DE) 790 at 18. Next Tuesday, the government intends to call Detroit Police Sergeant Edward Brannock and FBI SA Vicente Ruiz and will seek to enter certain videos and rap songs into evidence. Of the eleven rap songs identified in its initial briefing to the Court, the government will be seeking to offer seven rap songs / videos into evidence at this trial. Below is the government’s statement as to the relevance and theory of admissibility.

**Exhibit 86:** Welcome to Hob City (rap video); the government intends to play the complete video. The lone rapper in this video is Donnell Hendrix, a/k/a Hardwork Jig. Other individuals seen throughout the video include, among others, Jerome Gooch, Eugene Fisher, Derrick Kennedy, Corey Bailey, Devon McClure, Demetrius Pope, and Martez Hicks. The video also has clips of local news stories spliced into it.

Relevance: This song lays out the history of the Seven Mile Bloods: identifies how SMB are “flipping pills,” how Hendrix “came home and Rome [Gooch, standing directly behind him] show me this is what he do,” identifies their claimed area as the “Red Zone,” how “everybody in my neighborhood claiming red,” utilizes the code “7-6-2,” discusses “trappin” and other drug trafficking references; how Ihab Maslemani was on trial for murder and made the news; how they believe that “Bleek,” a/k/a Jonathan Murphey, a former SMB member, cooperated with law enforcement; and how “Cheech eating good,” a reference to co-defendant and fellow SMB member Anthony Lovejoy. The opening scene show a prominent corner in the Red Zone, Coram and Crusade. Finally, it relevant to rebut the defenses already stated on the record that the Red Zone is a made-up area by law enforcement and that SMB members and associates do not act together.

Theory of admissibility: The government would offer the lyrics

highlighted in yellow pursuant to Fed. R. Evid. 801(d)(2)(E). The non-highlighted lyrics are verbal acts – not being offered for the truth of the matter asserted. The entire song would also be admissible as statements defendant Gooch manifested as adopted or believed to be true pursuant to Fed. R. Evid. 801(d)(2)(B) since he appears in the video nodding along with his assent.

**Exhibit 87:** Murda (rap video); the government intends to play the complete video. The rappers in this video are Devon McClure, Billy Arnold, and Corey Bailey. Other individuals seen throughout the video include, among others, Michael Rogers, Donnell Hendrix, and Diondre Fitzpatrick.

Relevance: the video opens with McClure standing in front of a vacant house “tagged” with “Red Zone” graffiti; the entire song talks about the existence of the Seven Mile Bloods and the violent nature of that group; lyrics reference 55, Red Zone, and SMB’s involvement in various racketeering activity including murder, drug distribution, and witness intimidation; and the entire song is a threat to rival gangs and “snitches.” Finally, after the shooting on May 10, 2015, Billy Arnold texts several SMB members, including Quincy Graham, to post the Devon McClure verse on the rival gang’s website. *See* Government Exhibit 11DD, page 3.

Theory of admissibility: The government would offer the lyrics highlighted in yellow pursuant to Fed. R. Evid. 801(d)(2)(E). The non-highlighted lyrics are verbal acts – not being offered for the truth of the matter asserted. The entire song would also be admissible as statements defendant Rogers manifested as adopted or believed to be true pursuant to Fed. R. Evid. 801(d)(2)(B) since he appears at the beginning of the video and again during the Billy Arnold verse.

**Exhibit 88:** I’m Working (rap video); the government intends to play the video from 0:00 – 3:40. The rapper in this video is Donnell Hendrix, a/k/a Hardwork Jig. Other individuals seen throughout the video include Derrick Kennedy, Corey Bailey, Billy Arnold, and Jeffaun Adams.

Relevance: This song’s lyrics and video demonstrate the SMB drug trafficking with an simulated drug transaction outside of a “trap house” acted out during the song’s lyrics; begins with a “shout out” to “Smokie” a/k/a Michael Rogers; refers to the “Zone” and the drug dealing that occurs there; identifies the criminal activity that occurs in “my hood” as “organized crime” [a direct response to the stated defense that SMB are simply “disorganized crime”] his “clique full of heathens,” and the “gang;” discusses how weapons are readily available in the neighborhood to

protect the drug dealing; and identifies certain SMB members including appearances by Arnold, Bailey, Kennedy, Jeffaun Adams, and references to “Dub” a/k/a Quincy Graham and “Block” a/k/a Devon McClure. Additionally, the video shows the participants’ gang affiliation including: (1) references to “55;” (2) showing Rex and Novara streets, streets directly inside the Red Zone; and (3) wearing red clothing (for example, Arnold wearing a red ski with 7 Mile printed on it).

Theory of admissibility: The government would offer the lyrics highlighted in yellow pursuant to Fed. R. Evid. 801(d)(2)(E). The non-highlighted lyrics are verbal acts – not being offered for the truth of the matter asserted.

**Exhibit 89:** 55 Dubb-Greatest Show on Earth (rap video); the government intends to play the complete video. Quincy Graham opens the video by talking as he and others stand outside of a club. The rapper in this video is unidentified. Other individuals seen throughout the video include Derrick Kennedy, Jerome Gooch, Corey Bailey, Devon McClure, Arlandis Shy, and Billy Arnold.

Relevance: In this music video, Quincy Graham, a/k/a “Dubb,” Billy Arnold, Jerome Gooch, Corey Bailey, Arlandis Shy, Derrick Kennedy, and other SMB associates appear in this rap video, which is shot at a strip club.

Graham, amongst others, is seen on stage throwing cash. The song explains how when the SMB members need to buy new, expensive things they make and sell drugs, stating “whip it up... in da kitchen,” referring to cooking crack cocaine. This video shows the wealth that comes from the enterprise’s activities. While the SMB members are throwing cash, the song describes their designer clothes (True Religion jeans), watches (Rolexes or “Rollis”), and cars. The rap also discusses how the SMB enterprise protects its wealth with a “choppa...full automatic,” referring to an automatic firearm.

Theory of admissibility: The lyrics are verbal acts – not being offered for the truth of the matter asserted. Additionally, the entire song would also be admissible as statements defendant Graham manifested as adopted or believed to be true pursuant to Fed. R. Evid. 801(d)(2)(B) since this song and video are posted on YouTube under his name.

**Exhibit 90:** RoDaGreat-Bleek Ft ADA Skippo (rap song); the government intends to play the video from 0:00 – 2:03. The rapper in this video is Robert Brown II, a/k/a RO Da Great.

Relevance: This song’s lyrics are essentially a threat to “Bleek,” a/k/a Jonathan Murphey, a former SMB member, who Brown and other SMB

members believe cooperated with law enforcement (especially about Brown's involvement in the 2006 murder of Cleo McDougal); Brown speaks about how "Bleek a cop, so I gun him down;" Brown also references that he is not acting alone and that his is a "team full of killers, don't play around" and "if you want war, we at you now." While this song is directed at "Bleek," it is also an implicit threat to anyone who provides information to law enforcement about SMB or their activities.

Theory of admissibility: The government would offer the lyrics highlighted in yellow pursuant to Fed. R. Evid. 801(d)(2)(E). The non-highlighted lyrics are verbal acts – not being offered for the truth of the matter asserted.

**Exhibit 72:** POTNAS (rap song); the government intends to play the complete song. The rapper in this video is Billy Arnold.

Relevance: Arnold sings about doing everything for and with his "potnas" or partners. The government will present evidence through cooperating co-defendants, and has done so through Matleah Scott, that spinning corners in rentals is a reference to shootings at rival gang members or "ops" and will show that is what happened on May 1 and May 8, 2015. This song is persuasive evidence that Arnold does not act alone and his

actions are motivated by his ties to the gang. The references to “Whytes” is to the deceased SMB member Jason Gill who was killed on February 26, 2015. Arnold also raps about from age 17 dealing drugs with his partners in the Red Zone. Finally, the references to “su-wooning” and “5-ing” are common ways the SMB refer to each other and Arnold is reinforcing that nothing that has occurred by July 2015 (when this song was recorded) has changed that.

Theory of admissibility: The government would offer the lyrics highlighted in yellow pursuant to Fed. R. Evid. 801(d)(2)(E). The non-highlighted lyrics are verbal acts – not being offered for the truth of the matter asserted.

The government also intends to offer the rap song and video, Camp 9, as Exhibit 262 later in the trial. The government will supply supplemental briefing as to that video’s relevance and theory of admissibility prior to seeking to introduce that exhibit.

Respectfully submitted,

MATTHEW SCHNEIDER  
UNITED STATES ATTORNEY

Dated: February 10, 2018

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 10, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, for uploading and service by electronic notice to counsel and parties authorized to receive electronically Notices of Electronic Filing.

/s/ Christopher Graveline  
Christopher Graveline  
Assistant United States Attorney